

September 10, 2022

**VIA ECF**

The Honorable Laura Taylor Swain  
United States District Judge  
United States District Court for the  
Southern District of New York  
500 Pearl St.  
New York, NY 10007-1312

Re: Wagner et al. v. International Business Machines Corp., Civil Action No. 1:21-cv-09443-LTS-SLC

Dear Judge Swain:

Plaintiffs and Defendant International Business Machines Corporation (“IBM”) jointly submit this letter motion to stay this proceeding. The parties have reached a tentative resolution, and Plaintiffs anticipate filing stipulations of dismissal pursuant to Fed. R. Civ. P. 41 in the coming weeks. As such, the parties respectfully request a full stay of the above captioned proceeding, including suspension of all pending deadlines. The parties will likewise seek from Magistrate Judge Cave an adjournment of the September 13, 2022, initial scheduling conference based on this stay request. The parties further request that Your Honor issue no further decisions, including any decisions relating to Defendant’s pending motions for judgment on the pleadings (Dkt. Nos. 62, 65). The parties agree that a stay will further the interests of judicial economy and efficiency and facilitate the final resolution of this matter. The parties further agree to file either stipulations of dismissal or a status report by November 8, 2022.

If this joint request for a stay meets with Your Honor’s approval, a “So Ordered” line is provided below for the Court’s convenience.

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Respectfully submitted,

/s/ Shannon Liss-Riordan  
Shannon Liss-Riordan  
Counsel for Plaintiffs

/s/ Matthew W. Lampe  
Matthew W. Lampe  
Counsel for Defendant

cc: All counsel of record (via ECF)  
IT IS SO ORDERED.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Hon. Laura Taylor Swain  
United States District Judge